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Fifty-seventh year

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Thursday, 17 October 2002, 10 a.m.
New York

President:	Mr. Belinga Eboutou	(Cameroon)
Members:	Bulgaria	Mr. Tafrov
	China	Mr. Jiang Jiang
	Colombia	Mr. Valdivieso
	France	Mrs. d'Achon
	Guinea	Mr. Traoré
	Ireland	Mr. Corr
	Mauritius	Mr. Koonjul
	Mexico	Mrs. Arce de Jeannet
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Mahbubani
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

Letter dated 10 October 2002 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council (S/2002/1132).

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02-64396 (E)

The meeting was resumed at 10.10 a.m.

The President (*spoke in French*): Before calling on the first speaker inscribed on my list, I should like to inform members of the Council that I intend to adhere to the timetable, that is to say, to begin the meeting at 10 a.m. and to suspend it at 1 p.m., to resume at 3 p.m. and suspend at 6 p.m. I count on the cooperation of speakers in order to be able to begin promptly and be able to hear all speakers.

I should also like to inform the Council that I have received a letter from the representative of Mauritania, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ould Deddach (Mauritania) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): The next speaker on my list is the representative of Morocco. I invite him to take a seat at the Council table and to make his statement.

Mr. Bennouna (Morocco) (*spoke in Arabic*): Allow me, at the outset, to extend to you, Mr. President, my delegation's congratulations on your assumption of the presidency of the Security Council for this month. We wish you every success in carrying out your task. I would also like to take this opportunity to convey our appreciation to the Ambassador of Bulgaria for his remarkable conduct of the Council's proceedings during the month of September.

The Council is meeting today to consider the issue of Iraq's implementation of international resolutions. This meeting has great importance for both the security and stability of the countries and peoples of the region and for international peace and security. This fact is borne out by the enormous number of delegations that have requested to speak in this debate to express their keen interest with regard to implementing international law and avoiding any steps that could aggravate the situation or threaten peace and stability in the region.

There is no doubt about the need to respect international law and, in particular, the resolutions of the Security Council, which is the body with the primary and important responsibility for the maintenance of international peace and security. This conviction stems from the fact that when the Security Council adopts resolutions it does so on our behalf, in accordance with the purposes and principles of the United Nations and in line with the provisions of Article 24 of the Charter. It is on that basis that the Council's resolutions enjoy the support of the international community and, hence, the necessary conditions for their implementation.

With regard to Iraq, the resolutions adopted by the Council since 1990 have made clear the obligations that must be met by that nation before the sanctions imposed on it are lifted. Despite difficulties and obstacles during the last 10 years, Iraq has in fact cooperated with the United Nations and the International Atomic Energy Agency (IAEA) to implement the provisions of the relevant international resolutions. The good offices of the Secretary-General have made it possible to convince the Iraqi authorities to agree to the return of inspectors. That willingness was reaffirmed in Iraq's letter of 16 September 2002 to the Secretary-General. In that letter, Iraq expressed its readiness to receive inspectors and to discuss the necessary arrangements for the prompt discharge of their tasks. Meetings were subsequently held at Vienna — on 30 September and 1 October 2002 — between Mr. Blix and the Iraqi side, during which the Iraqi side reaffirmed its resolve to cooperate with international inspectors and to allow them to carry out their tasks without conditions or restrictions. The briefing made to the Council by Mr. Blix on 3 October included references to the points agreed between Iraq, the United Nations and the IAEA. It has been agreed that those points would be referred to as the rules of the game. This has given the impression that most of the difficulties that have impeded the work of inspectors will be overcome.

The founding fathers of the Organization established the common defence system provided for in Chapter VII of the Charter. That system was designed in a way that makes resorting to the use of force the very last means available to the Security Council, after all other means have been exhausted. Foremost among those means is the use of economic sanctions to bring a State to implement the Council's resolutions. The

objective of sanctions is therefore to persuade the country concerned of the need to comply with international law and to avoid the use of force. Avoiding the use of force is central to both the role and the responsibilities of the United Nations, especially of the Security Council.

On that basis, and given the fact that Iraq has agreed to accept the prompt and unconditional return of inspectors, the Security Council must now consider whether the resolutions it has thus far adopted are sufficient to enable inspectors to carry out their functions without impediment, or whether it should adopt a new resolution. Whatever the situation may be, our interest in showing respect for international legality and the provisions of the United Nations Charter makes it incumbent upon us to give an opportunity to the inspectors to return to discharge their task and await the report that will be presented by Mr. Blix before taking any other measure.

The peace and security of the States and peoples of the Middle East makes it necessary for all those countries, without exception, and I repeat without exception, to respect international law and to comply with all relevant United Nations resolutions. It must be recalled here, that the resolutions of the Arab Summit in Beirut have consolidated the reconciliation between Iraq and Kuwait. They reaffirmed the need to respect the independence and sovereignty of Iraq, and the need for it to cooperate in order to finally close the file of Kuwaiti prisoners of war and missing persons. They also affirmed the need to avoid any need for military action against Iraq.

In order to ensure the security and stability of the Middle East, the region must be made into a zone free from nuclear weapons and all other weapons of mass destruction. In this regard, I must reiterate the consistent support of the Kingdom of Morocco for declaring the Middle East a zone free from those weapons in order to ensure the security and well-being of all peoples of the region.

We cannot ignore or gloss over the humanitarian aspect of the situation in Iraq because those who suffer ultimately are the Iraqi people. We must not forget the tragedy that the brotherly people of Iraq have lived through for the past 10 years. Large numbers of children continue to die as a result of malnutrition and disease, while others are denied their right to education. As for adults, the pitiful financial situation impels them to sell their personal effects, a common sight on the streets of Baghdad, in order to provide for their families and loved ones.

Taking into account this critical situation in which the Iraqi society finds itself, the Security Council must help Iraq overcome this crisis and authorize the resumption of weapons inspections in accordance with United Nations resolutions; the objective is to enable the Iraqi people to return to a normal stable life.

In conclusion, we sincerely hope that the Security Council, as the custodian of international legality and of the credibility of the Organization, will arrive at a common vision and agree to the arrangements for the return of the inspectors to discharge their task. That would give new hope to the peoples of the region and of the whole world, thus avoiding the scourge of another war; for if it were to take place, it would have dire consequences on the stability of a large number of States.

The President: I thank the representative of Morocco for his kind word addressed to me.

The next speaker on my list is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil): We are grateful to the Non-Aligned Movement for its initiative in requesting this open debate, which could have been convened even earlier at the initiative of the members of the Security Council themselves. Developments in the past few months have raised very serious concerns, as the international community seems to be drawn into the dreadful logic of war.

This is a critical matter that concerns the Membership of the United Nations as a whole. International peace and security are clearly at stake, as is the very credibility of our Organization, its principles and methods of work. Not only should the Security Council benefit from the views of non-Member States on the most appropriate steps to be taken, but also the wider membership of the United Nations needs to be appraised on the difficult political choices which are being considered by the Council.

In moments like this, our collective choices must be guided by the need to ensure unconditional respect for the norms of international law embodied in the United Nations Charter and for the mandatory

decisions adopted by the Security Council, as well as by the possibility of resorting to the instruments provided in the Charter in order to ensure the maintenance of peace and security; the use of military force must only be considered as a measure of last resort.

As Brazilian Foreign Minister Celso Lafer stated at the Assembly's second meeting, at the outset of the general debate of the current session:

> "The use of force at the international level is admissible only once all diplomatic alternatives have been exhausted. Force must be exercised only in accordance with the Charter of the United Nations and in a manner consistent with the determinations of the Security Council. Otherwise, the credibility of the Organization will be undermined in a way that will not only be illegitimate, but that also gives rise to situations of precarious and short-lived stability. In the specific case of Iraq, Brazil believes that it is incumbent on the Security Council to determine the necessary measures to ensure full compliance with the relevant resolutions. The Security Council's exercise of its responsibilities is the way to reduce tensions and to avoid risking the unpredictable consequences resulting from wider instability."

There must be no mistake whatsoever on what the entire international community expects from Iraqi authorities. The fact that Iraq has blatantly refused to cooperate with the United Nations in the implementation of Security Council resolutions is a matter of great concern, and not without consequences for the maintenance of international peace and security. Iraq must abide strictly and unconditionally by its obligations under those resolutions. The international community requires full and verifiable assurances that Iraq has completely demobilized its programmes of weapons of mass destruction and that it is not in a position to resume them.

The Security Council must act in accordance with the international community's desire that inspections in Iraq be resumed as soon as possible, with a view to ensure the elimination of all weapons of mass destruction. To that end, full compliance and cooperation on the part of the Iraqi authorities is absolutely necessary. Inspections must be carried out independently by the United Nations and the International Atomic Energy Agency with unrestricted cooperation on the part of Iraq.

The Council should also be encouraged to define positive incentives for full compliance that would lead to the alleviation and gradual lifting of the sanctions regime. If and when they are needed, further measures of enforcement should be considered by the Security Council in the light of an evaluation of the findings of the inspections.

We trust that this debate will give the Security Council a clearer picture of the views of the Member States on this matter of great concern to us all.

The President (*spoke in French*): I thank the representative of Brazil for his kind words addressed to me.

The next speaker on my list is the representative of Switzerland. I invite him to take a seat at the Council table and to make his statement.

Mr. Staehelin (Switzerland) (*spoke in French*): I thank you, Sir, and the other members of the Security Council for the opportunity to speak on the issue of Iraq.

Switzerland stands firmly against all forms of proliferation of weapons of mass destruction, whether this concerns the production of or efforts to produce such weapons. These weapons first and foremost present a threat to civilian populations. Switzerland also shares the concern that such weapons could fall into the hands of international terrorist networks. It will continue working to promote comprehensive disarmament that is verifiable and well-balanced at the regional and global levels.

Switzerland should like to see the Iraqi Government respect the obligations incumbent upon it in accordance with the Security Council resolutions regarding inspections. It notes that the policy of armament pursued by that Government in recent years gives rise to serious suspicions. It believes that the only way to allay these suspicions is for the latter to accept unconditionally the presence and the inspections of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) on its territory.

Switzerland supports without reservation the efforts of the Security Council, of the Secretary-General and of the head of UNMOVIC. It has communicated to the head of UNMOVIC that it would

be willing to play an active part in the UNMOVIC mission should its assistance be required. It is of the opinion that all so-called presidential sites must also be listed and made accessible to the inspectors without restriction. Finally, it considers that the inspections must be thorough and lead to the effective elimination of any illegal weapons that may be found.

Switzerland believes that all peaceful means should be exhausted in order to achieve these aims. The possible use of force should not be considered without account being taken of all the potential short- and long-term consequences at the political, security, humanitarian and economic levels. Switzerland is particularly apprehensive about the risks facing the civilian population. It is equally concerned about the impact that an armed conflict could have on regional stability.

Switzerland believes in this context that the primary objective to be pursued by the international community is the elimination of any illegal weapons that may be discovered in Iraq. It also welcomed the willingness shown by President Bush on 12 September 2002 to seek a solution to the current crisis in the framework of the Security Council. It also welcomed both the Iraqi Government's announcement of its decision to conform to the pressing demands of the international community by accepting the return of disarmament inspectors, as well as the constructive results of the talks in Vienna.

Switzerland considers that all procedures provided for in the Charter of the United Nations must be respected and that recourse to the Security Council is indispensable when the use of force is envisaged. In particular, it points out the risk of a precipitous interpretation of the notion of legitimate defence from a preventive perspective that extends beyond the scope provided for in the Charter. As such, it favours a two-stage approach that would permit the Council to assure itself, on the basis of the report of the inspectors, that Iraq has fulfilled its obligations and, in the event that this should not be the case, to take all necessary measures with full knowledge of the facts.

Switzerland attaches great importance to respect for Security Council resolutions. While recognizing the specific nature of each conflict, it will continue to strive to ensure the implementation of all Security Council resolutions in the name of the credibility and effectiveness of international law.

There is undeniably a need to act, and to act with determination, in order to ensure the implementation of United Nations resolutions, but action must be taken jointly within the framework of the United Nations. Only the United Nations can confer international legitimacy on an action against Iraq.

The President (*spoke in French*): I thank the representative of Switzerland for his kind words addressed to me.

The next speaker on my list is the representative of Bangladesh. I invite him to take a seat at the Council table and to make his statement.

Mr. Chowdhury (Bangladesh): We felicitate you, Sir, upon your assumption of the Council presidency. We express our confidence in your ability to bring our deliberations to fruition. We also commend Ambassador Tafrov's leadership last month.

Bangladesh maintains a strong preference for the peaceful settlement of disputes. We have consistently made this point in the past, including on the floor of this Council. As always, Bangladesh believes in diplomatic and political solutions to international disputes. These must be achieved through constructive discussions.

While we acknowledge the need for the enforcement of Security Council resolutions, such enforcement actions should be based on the norms and mores of international law and backed by the United Nations. The objective of any enforcement action should indeed be the need to enhance security, peace and stability. On the specific issue at hand, we welcome Iraq's decision to allow the return of weapons inspectors. The inspectors should have total and unfettered access in the course of the discharge of their assigned responsibilities. No impediment must be placed on the work of the United Nations Monitoring, Verification and Inspection Commission. Furthermore, Iraq must comply with all relevant Security Council resolutions on this issue.

However, in the ultimate analysis, every possible effort should be made to avert war. Wars cause death and destruction. They disrupt economies and they exacerbate human suffering. These views, as this debate amply demonstrates, are evidently shared by a preponderant majority of the membership of the United Nations. They must be heard, listened to and heeded.

The President (*spoke in French*): I thank the representative of Bangladesh for his kind words addressed to me.

The next speaker on my list is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): Mr. President, my delegation joins others in congratulating you on your assumption of the presidency of the Security Council for this month. We also wish to pay tribute to your predecessor, the Permanent Representative of Bulgaria, for his stewardship of the Council last month.

We thank you, Mr. President, and members of the Council for convening this very important open meeting on the situation between Iraq and Kuwait, in response to the request of the Permanent Representative of South Africa, in his capacity as Chairman of the Non-aligned Movement. My delegation associates itself fully with the statement that he made yesterday, outlining the position of the Movement on this issue. This meeting is most timely because the attention of the entire international community is focused on the impending decision of the Council.

Malaysia is among those who had called for this meeting so as to enable the larger membership of the Organisation to express their views before the Council takes action on this issue. This is because the decision that the Council is about to take on Iraq is of crucial importance, not only to Iraq but also to the region and the entire international community. We think it is appropriate that, on an issue as important as this, the views of all Member States of the United Nations be heard. We thank the Council for the courtesy of listening to the non-members first.

The issue before the Council relates to the return of United Nations arms inspectors to Iraq, after an absence of four years, to continue with the Council-mandated task of disarming Iraq of the remaining weapons of mass destruction that it is alleged to have in its possession. That task has now been entrusted to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), established by Security Council resolution 1284 (1999), under the leadership of a disarmament expert of vast experience, Mr. Hans Blix.

Under the terms of that resolution, the Council entrusted Mr. Blix and UNMOVIC to carry out its mandate, guided by the principles of professionalism, independence, rigour and transparency, to ensure that an effective inspection regime could be put in place. The independent or United Nations character of UNMOVIC is essential and must be preserved if it is to carry out its work with credibility. This is particularly important, given the well-known problems besetting its predecessor, the United Nations Special Commission (UNSCOM) which made that fateful decision to pull out of Iraq just before the bombing raids of December 1998, thereby abruptly terminating its painstaking but otherwise useful work.

Mr. Blix has already had initial meetings with the Iraqi side to work out the modalities of the return of the arms inspectors under the new name and mandate. He awaits the green light from the Council before proceeding to Iraq. With Iraq's acceptance of the unconditional return of United Nations arms inspectors, Mr. Blix is legally bound, under Security Council resolution 1284 (1999), to proceed with the fulfilment of his mandate.

Malaysia believes that with the assured cooperation of the Government of Iraq, UNMOVIC would be able fulfil its mandate and should proceed accordingly, without the need for another Council resolution. Mr. Blix, as we understand it, was ready to proceed but became uncertain and confused as to the purpose of the exercise, with the beating of the drums of war coming to a crescendo. He now seeks guidance from the Council, which is understandable if UNMOVIC is to do its job well and has the blessing of the Council.

However, any new instruction, if absolutely necessary, must merely be to reinforce the thrust of resolution 1284 (1999). Any departure from that resolution — which would include, as widely speculated, the threat of use of force, among other new elements, some of which are unprecedented — would only, and unnecessarily, complicate the work of UNMOVIC. UNMOVIC must be given a chance to complete the work of UNSCOM, and Iraq must be given a chance to demonstrate full compliance and cooperation with the United Nations and the international community, without threats of the use of force. We believe that Iraq has heard and will heed the clear and unambiguous message of the international

community on the issue of its commitments regarding its obligations.

Therefore, the issue before the Council should not be one of authorizing use of force against Iraq on the presumption of Iraqi non-compliance with resolution 1284 (1999), but one of allowing UNMOVIC to commence its work in Iraq as expeditiously as possible. The focus in the Council should be on promoting United Nations diplomacy to resolve the problem through effective inspections and weapons destruction, not on legitimizing war against Iraq to effect "regime change". Removing the head of State or Government of a sovereign State is illegal and against the Charter, and it must never be a project that has the endorsement of this Council. The provisions of the Charter on this matter are very clear and unambiguous, as has been underscored by many speakers in this debate.

At the same time, the disarmament efforts must be a part of a clear sanctions-lifting plan, so that the debilitating humanitarian crisis in Iraq can be brought to a swift end. The success of this current exercise requires the fullest cooperation of the Government of Iraq in every respect. It is time to bring to a close a sad chapter in the history of the region and to forge a new relationship among the regional States, one based on reconciliation, trust and confidence with one another, and a shared common heritage.

This, however, could only come about with Iraq's full cooperation in other areas, under the relevant resolutions of the Security Council, including an immediate accounting for and return of Kuwaiti prisoners of war and missing third-country nationals, as well as national archives and other properties illegally taken from Kuwait during the Iraqi invasion of that country. Only these actions on the part of Iraq would ensure the return of normalcy in the relations between Iraq and Kuwait. We would therefore urge Iraq not to lose this window of opportunity and to do what is right, in the interest of peace and tranquillity of its people, the region and the world.

My delegation welcomes the fact that the issue of Iraq is now being dealt with by the Security Council, where it rightfully belongs. The matter must be dealt with by the full Council, involving all of its members at every stage of the deliberations. It must be resolved through the Council's own mechanisms and processes, based on established principles and norms of international law and the Charter of the United Nations. It is up to Council members to ensure and preserve the integrity of its decision-making process and to do their utmost to resolve the problem without recourse to military action. The beating of war drums and talk of "regime change" are, therefore, completely out of place and unwarranted. They detract from the business at hand, which is the dispatch of UNMOVIC inspectors to Iraq, and complicate the situation.

It is clear that the overwhelming majority of the international community does not wish to see or support military action against Iraq. This is not surprising, as no one wants to see the prolongation of the utter misery of the Iraqi people after almost twelve years of the most debilitating sanctions. The innocent people of Iraq will be among the first and most numerous casualties in any use of force against Iraq. For their sake, war must be avoided. Diplomacy must be given every chance to work. Its success far outweighs, and is more enduring than, anything that military action could bring to bear on the situation.

This is the message that the Secretary-General himself has repeated often enough, both in the context of the question of Iraq and other conflict situations. In his opening address to this session of the General Assembly on 12 September 2002, the Secretary-General staunchly stood up for diplomacy and multilateralism. The Council can do no less as multilateralism, which entails United Nations diplomacy, is the raison-d'être of the United Nations. He said it most poignantly at the second meeting of the General Assembly's current session when, referring to the sanctity of the rule of law, he declared:

> "... every government that is committed to the rule of law at home, must be committed also to the rule of law abroad. All States have a clear interest, as well as a clear responsibility, to uphold international law and maintain international order".

The alternative to diplomacy and the multilateral process is recourse to the use of armed force, with all its unintended consequences to peace, security, including human security and development. Unintended consequences could affect, as well, international efforts to combat international terrorism, which will surely be further complicated and may well unravel in its wake.

Surely, with the ushering in of the new century and millennium, and the high hopes and expectations contained in the Millennium Declaration, the Council will not wish to squander the gains garnered over so many years of careful, painstaking and productive diplomacy.

All Members of the Organization are custodians of the Charter, but especially so the Members serving on the Security Council, both permanent and non-permanent. They must ensure that the Charter is upheld and protected, not undermined or set aside. There must be consistency and even-handedness in its actions and decisions and no double standards. What is required of Iraq, with respect to compliance with Council resolutions, must also be required of others, particularly Israel, which has ignored many of them with impunity.

In dealing with this and other issues of peace and security, the Council has a grave responsibility to ensure that the international system, based on the corpus of international laws and norms, will be preserved and strengthened. Members of the Council will have to ensure and satisfy themselves that their action in the Council will serve the larger interests of the international community, not just their own narrow national interests. At the end of the day, the Council will be judged as to whether its decision upholds international law and international legitimacy, strengthens the United Nations and the multilateral process, promotes peace and security, or the opposite. It will be judged as to whether by its decision the Council chooses the path of constructive diplomacy or that of destructive war, with all its implications to regional and international peace and security.

This is, indeed, a heavy responsibility that each member of the Council must bear on behalf of the international community in whose name, and hopefully, in whose interests, the Security Council acts. The responsibility is particularly awesome for the permanent members who, by virtue of the special power vested in them, will determine, more than others, the final outcome of this issue. We trust they, and other Council members, will do what is right.

The President (*spoke in French*): I thank the representative of Malaysia for his statement and for the kind words he addressed to me.

The next speaker is the representative of Lebanon. I invite him to take a seat at the Council table and to make his statement.

Mr. Diab (Lebanon) (*spoke in Arabic*): Mr. President, it gives me pleasure to express our sincere thanks for your prompt response to the request of the delegation of South Africa, in its capacity as chair of the Non-Aligned Movement, to hold this public meeting to discuss the question of Iraq and related developments.

Allow me, Sir, to take this opportunity to express Lebanon's condolences to the countries whose nationals perished in the tragedy that took place in Indonesia as a result of the terrorist act in Bali.

Resort to the United Nations and implementation of its resolutions, in particular those of the Security Council concerning any question, ensures the peaceful settlement of such questions and prevents States from resorting to unilateral military action that could result in tragedy and danger that might not be confined to the geographical location of the problem. This fact applies to Iraq.

The Beirut Summit of the League of Arab States reaffirmed the unanimous view of the Arab leaders that the solution to the problem of Iraq can only be achieved through dialogue between Iraq and the United Nations, without exposing it to a war that would increase the suffering of its people.

Using the logic of dialogue during the Beirut Summit, the Republic of Iraq undertook steps to respect the independence, sovereignty, security and territorial integrity of the State of Kuwait, and to avert anything that might lead to a repetition of the actions of 1990. Those undertakings were warmly welcomed by the Arab leaders and also constitute a preliminary step towards Iraq's cooperation in reaching a prompt and final solution to the question of the Kuwaiti prisoners-of-war and the return of Kuwaiti property in accordance with relevant international resolutions.

Within that atmosphere of cooperation, the Arab leaders at the Beirut Summit adopted a number of positions that support Iraq and that called for the following: first, respect for the independence, sovereignty, security, unity and territorial integrity of Iraq. Secondly, the resumption of dialogue between the United Nations and Iraq, which began in a constructive and positive atmosphere, in order to complete

implementation of the relevant resolutions of the Security Council. Thirdly, they called for the lifting of the sanctions imposed on Iraq and an end to the suffering of its brotherly people in a manner that ensures security and stability in the region.

In addition, the Arab leaders expressed their total rejection of an attack on Iraq and noted that a threat to the peace and security of any Arab State is a threat to the national security of all Arab States.

Since the Beirut Summit, Iraq adopted a number of additional constructive steps that proved its commitment to addressing the relevant Security Council resolutions. In the 16 September 2002 letter, from the Foreign Minister of Iraq to the Secretary-General of the United Nations, Iraq responded to the appeals of the United Nations Secretary-General and those of the Member States. The letter contained Iraq's decision to allow the unconditional and unrestricted return of United Nations weapons inspectors. It constituted a first step towards a comprehension solution that would ensure implementation of the other provisions of the Security Council resolutions.

Once again, the logic of dialogue proved that it alone can ensure implementation of the Security Council resolutions on Iraq. The consultations held between Iraq, Mr. Hans Blix and Mr. Mohamed ElBaradei led to the conclusion of an agreement with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Vienna on 1 October 2002, on the practical arrangements for the return of the United Nations weapons inspectors, in accordance with the relevant Security Council resolutions.

The urgent task now is the return of United Nations weapons inspectors to ascertain that Iraq no longer possesses weapons of mass destruction. Mr. Hans Blix expressed the readiness of his team to return to Iraq on the basis of existing resolutions. Therefore, the adoption of any new resolution would create complications that have no legal justification.

The transformation of the Middle East region into a zone free of weapons of mass destruction, in particular of nuclear weapons, and the implementation of the relevant Security Council resolutions, especially those relating to the conflict in the Middle East, without any distinctions between States, is an essential precondition for the establishment of lasting peace and security in the region.

However, what we see in reality is that Israel has consistently defied internationally binding resolutions. It has ignored Security Council resolution 687 (1991), which calls for the establishment of a zone free from weapons of mass destruction in the Middle East. It has refused to implement resolution 487 (1981), which was adopted following the Israeli act of aggression against Iraq in 1981. That resolution called upon Israel to place its nuclear facilities under the comprehensive safeguards regime of the International Atomic Energy Agency (IAEA).

Israel has continued to stockpile weapons of mass destruction in its arsenal, particularly nuclear, chemical and biological weapons, without any international deterrent. Israel has also ignored, indeed even challenged, the 29 Security Council resolutions adopted on the question of Palestine, the latest of which was resolution 1435 (2002), which demanded that Israel withdraw from the recently reoccupied Palestinian territories and towns.

Israel has resorted to violence, aggression and the perpetration of crimes against humanity in order to implement its expansionist and settlement policies. It continues to reject all the efforts made for the achievement of a comprehensive, just and peaceful settlement of the Middle East question, the latest of which was the Arab peace initiative, which was endorsed by the Beirut Summit. Israel responded to that initiative, which enjoyed unanimous Arab and international support and was welcomed by the Security Council in its resolutions 1397 (2002) and 1435 (2002), by reoccupying the West Bank, killing people and destroying property.

Despite all of this, the Security Council has thus far taken no steps to ensure Israel's implementation of its resolutions; thus it seems that Israel has impunity in this respect. This situation can only reinforce the view of the Governments and the peoples of the region that double standards do exist in international relations. The application of international law is limited to Iraq while Israel is allowed to remain above the law.

This view that a double standard exists in the implementation of Security Council resolutions has also been expressed by anti-war demonstrators in Europe and in America. An article entitled "Double

Standards", which appeared in the latest issue of *The Economist*, on 12 October 2002, stated:

(*spoke in English*)

> "It is no longer being asked by Arabs alone. 'No war against Iraq, free Palestine' has become the slogan of anti-war demonstrators in Europe and America. The two conflicts have become entwined in the public mind in a way that the West's politicians cannot ignore. When he sought last week to talk a sceptical Labour Party into supporting action against Iraq, Tony Blair, Britain's Prime Minister, got his biggest cheer for the bit of his speech that said that United Nations resolutions should apply in Palestine as much as in Iraq."

(*spoke in Arabic*)

This is a further reaffirmation of the need for the Security Council to adopt a single standard in dealing with its own resolutions in order to ensure that justice prevails.

In conclusion, in its capacity as Chairman of the Arab Summit, Lebanon hopes that Iraq's positive response to the international will and its readiness to accept the return of international inspectors will help to put an end to the suffering of its people and lead to a comprehensive solution that would lead to the implementation of the relevant Security Council resolutions and most importantly to the lifting of the sanctions on Iraq. Those sanctions have killed 1.8 million Iraqis thus far, most of them women, children and the elderly.

Lebanon also looks forward to the creation in the Middle East of a zone free from weapons of mass destruction and to an end to the threats to use force against Iraq, and to respect its sovereignty, independence and territorial integrity.

The President (*spoke in French*): I thank the representative of Lebanon for the kind words he addressed to me.

The next speaker on my list is the representative of India. I invite him to take a seat at the Council table and to make his statement.

Mr. Nambiar (India): Mr. President, at the outset, I would like to congratulate you for your initiative in holding this open meeting on the situation between Iraq and Kuwait. We have just concluded a lengthy debate in the General Assembly on the issue of the Security Council's report and on its reform and restructuring. One of the issues raised by a large number of speakers at that debate pertained to the desire to see greater transparency in the functioning of the Council and in the relationship between the Council and the general membership of the Organization. The decision to hold an open meeting to discuss an issue of considerable import to the larger membership of this Organization addresses this concern directly and is therefore both opportune and timely.

India has a vital interest and high stakes in the peace and prosperity of the Gulf region. Our relations with this region have developed as a result of centuries of deep historical, cultural, religious and economic contacts. Today, approximately 4 million Indians reside in the Gulf region. In Iraq itself, we had substantial trade interests and projects which were affected after 1991. Under the "oil-for-food" programme, India is a significant exporter. Developments in the region thus affect India.

India had welcomed the remarks made by the President of the United States during the debate in the General Assembly on 12 September 2002 indicating that the United States would work with the Security Council for the necessary resolutions on Iraq. We had also welcomed the resumption of diplomatic efforts under the auspices of the United Nations to try to end the impasse on inspections.

During the debate in the General Assembly, many leaders emphasized that adherence to the multilateral system is an indispensable imperative for the maintenance of international peace and security. The Secretary-General, too, in his address to the General Assembly, had stressed this point and had conveyed that, while Article 51 of the Charter provides States the right of self-defence, if attacked, when it came to addressing the broader threats to international peace and security, there was no substitute for the unique legitimacy provided by the United Nations. In contemplating the use of force, the question of legitimacy and the international rule of law are important. Twelve years ago, faced with a case of aggression, the Member States showed their willingness to authorize action under the authority of the Security Council. These were reflected in Security Council resolutions 686 (1991) and 687 (1991) of 1991. Without such authority, any support for a campaign would not be forthcoming.

India recognizes the desire of the international community to see full compliance by Iraq with all relevant United Nations resolutions, including those relating to the repatriation of Kuwaiti and third-country nationals and to the return of all Kuwaiti property. Such a desire cannot, however, justify any unilateral action against Iraq without the agreement of the United Nations. We are of the view that given the current configuration of circumstances, any undermining of the territorial integrity of Iraq could have unforeseen and destructive geopolitical implications that could extend even beyond the region.

While saying that, we recognize that it has been four years since the most recent United Nations inspections in Iraq took place. The need for an update to tighten the inspection regime and sort out "loose ends" was recently elucidated by the Executive Director of the United Nations Monitoring, Verification and Inspection Commission, Mr. Hans Blix. If the Security Council were to see the need to review the situation and lay down fresh guidelines for the weapons inspectors to go into Iraq, India would be supportive of that process. However, before deciding on a new mandate it would be important for the Council to reflect on the objective of such an exercise. The purpose of any such action should be to achieve disarmament in Iraq as laid down in the relevant resolutions.

In ensuring this objective, the proposals concerning the inspection regime have to be commensurate with the task at hand — that is, inspections must be designed to enforce the elimination of weapons of mass destruction in accordance with the relevant resolutions of the Council. Some of the proposals being advanced pertaining to the role and presence of particular Council members in inspections, extra-territorial interviews of Iraqi nationals and the use of United Nations armed guards to accompany inspectors would seem unprecedented and could attract adverse public attention internationally. We believe that the conditions attached to any new resolutions, and the modalities of their implementation, should not be such as to make them unworkable or effectively to invite their rejection.

Some speakers in the General Assembly debate on the Security Council have made reference to the exclusivity claimed by the five permanent members in the context of recent deliberations and contemplated actions with respect to Iraq. Our view is that such a narrow base for decision-making can only detract from the unity and cohesion that must be generated and sustained on an issue so grave in nature and of such magnitude.

India believes that while there may be a rationale for a tightened inspections regime, there is an equally compelling case for the creation of an enabling environment for compliance with the relevant resolutions. Such a step has been envisaged in Security Council resolutions themselves — and I refer in this context to section D of resolution 1284 (1999). We believe that sanctions against Iraq should be lifted in tandem with full and effective compliance by Iraq with the relevant Security Council resolutions. We also believe that sanctions should not have an adverse humanitarian impact on the lives of ordinary Iraqi citizens.

In conclusion, I wish to join a large number of other delegations that have expressed themselves on this subject, and to reiterate that the sovereignty and territorial integrity of a State are inviolable. Any action to limit these attributes can be taken only under the express provisions enshrined in Chapter VII of the Charter.

It is therefore of the utmost importance that all possible alternatives that can help avoid recourse to military action be actively explored under United Nations auspices. Every effort must be made to ensure that peace and stability are maintained in the region, for what we do could well represent a defining moment in the way relations among States are ordered. There should be no precipitate action that adversely affects the interests of the countries of the region or of countries which have vital stakes in the region. The action of the Council must not only possess legitimacy; it must also be seen to possess legitimacy. For our part, we believe that the urgent task as a first step is to facilitate the return of inspectors to Iraq. The Council should fashion its approach with this basic task in mind.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Viet Nam. I invite him to take a seat at the Council table and to make his statement.

Mr. Nguyen Thanh Chau (Viet Nam): I would like to thank you, Mr. President, for responding so quickly to the request by South Africa, in its capacity as the country currently chairing the Non-Aligned

Movement, to convene this important debate on an issue of great concern to all Members of the United Nations. I also believe that by doing so, you are keeping the members of the Council more attuned to the groundswell of opinion of non-Council members, which in turn may help in the consultations of the Council members on the much-discussed draft resolution.

The issue of the looming confrontation with regard to Iraq is being inflated to such an extent that it could erupt any day now with a military attack against that country. Iraq is being depicted as an outcast that has developed and stockpiled weapons of mass destruction and has relations with the hated Al Qaeda. But is there any concrete evidence to prove that beyond any reasonable doubt?

I believe that in this case the devil is not so black as it is being painted. While that second allegation seems to be groundless — as a recent Central Intelligence Agency report found — the first is simply based on the argument that if Iraq refuses to go along with a United Nations resolution, it must have something to hide. Only experts can say whether or not Iraq has developed and stockpiled weapons of mass destruction. Now that the Iraqi Government has accepted, without any conditions, the return of international weapons inspectors to Iraq, a hurdle has been removed. So let the inspectors come back and do what they are mandated to do; pre-emption and prejudgement will not help their task. A political, not a military, approach is the only way to resolve the deadlock. We are convinced that diplomatic efforts towards this end will bring more credit to the Council.

The gist of the question is this: if the political will is for war, peace will not have a chance; but if it is for peace, then we Member States should stick to the Charter of the United Nations, giving peace at least the last chance. Article 51 and Article 2 of the Charter are very clear about this issue. I am not going to waste the Council's time by quoting from them here. But in this connection, my delegation fully agrees with the statement made by the Secretary-General in the 2nd meeting of the General Assembly, on 12 September 2002, when he said:

> "Any State, if attacked, retains the inherent right of self-defence under Article 51 of the Charter. But beyond that, when States decide to use force to deal with broader threats to international peace and security, there is no substitute for the unique legitimacy provided by the United Nations."

In this connection, my delegation wishes to make it clear that any attempt to change the political system of a sovereign State by sheer force of arms is unacceptable, as it constitutes a blatant violation of the Charter and of international law, and creates a very dangerous precedent in international relations. I believe that nobody wants to turn this world into "Apocalypse Now".

In recent history we have witnessed the full-scale escalation of a war due to merely a decision under a similar circumstances. We therefore call on the international community to do whatever it can to avoid any flexing of military muscle, which will surely endanger peace and stability in this region and the world over.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Djibouti. I invite him to take a seat at the Council table and to make his statement.

Mr. Olhaye (Djibouti): At the outset, I would like to state how pleased I am to see you, Mr. President, presiding over the affairs of the Council for this month.

My delegation associates itself with the statement delivered yesterday by Ambassador Dumisani Shadrack Kumalo of South Africa on behalf of the Non-Aligned Movement. I also wish to express my delegation's appreciation of the Council's positive response in holding this emergency meeting on the situation between Iraq and Kuwait.

Given the conflicting objectives being pursued both within and outside the United Nations, the uncertainties clouding the current international political climate are daunting. We are at a crossroads of history. As many who have spoken before me have already indicated, this debate has one major objective: to enable the more than 175 nations at the United Nations that are not members of the Security Council to be heard and to have their views carefully heeded.

The heavy burden of responsibility placed on the Council cannot be underestimated. This is so because it seems — we are all in agreement — that the Security Council has the mandate and sole responsibility to decide upon Iraq's disarmament regime, the return of inspectors, the conduct of inspections and ensuring

Iraq's full compliance with all relevant resolutions. Further, in the event of any non-compliance, refusal or obstruction by Iraq, the Security Council alone has the mandate to chart the next course of action. We believe that through patient and thoughtful negotiations, however tough, there will emerge a unified, internationally acceptable policy toward Iraq. We also believe that no one wants a war and that everyone recognizes that if a military action were authorized by the Council, it would be only as a justifiable last resort.

We always need to be reminded that if the justification for the use of force is the existence of weapons of mass destruction in Iraq, then the logical solution lies in the return of inspectors to Iraq to carry out comprehensive and unrestricted inspections. If this process is given a chance, Mr. Hans Blix and his colleagues would soon embark upon their duties and the Council could expect a report in due course on the level of cooperation and on the degree of compliance or non-compliance by Iraq. It is therefore up to Iraq to live up to the promise it has reiterated many times in the last few weeks that they assert their complete readiness to receive the inspectors and agree to resolve all issues that may block the road to joint cooperation.

The Council is, indeed, confronted with an unprecedented situation requiring its immediate consideration. The Council must be satisfied with the accuracy and impartiality of information it receives, and which is expected to form the basis of crucial decisions. More than ever before, the integrity and credibility of the Council is at stake, for the international community believes that any decision or action the Council finally embraces will be taken with great care and conviction. The Council's choice must be made with moderation, judiciousness and utmost fairness. As the primary custodian for the maintenance of international peace and security, the Security Council understands only too well that the challenge before it today is one affecting us all. Accordingly, the international community places its faith in the hands, heads and hearts of the members of the Council.

The situation between Iraq and Kuwait is an old story which never seems to go away, while the people of Iraq continue to experience abject poverty and deplorable living conditions. It is unfortunate and unacceptable for the fate of a whole nation to be ensnared by an international political football that continues to have dire humanitarian consequences. While there has obviously been an interruption of inspections since 1998, we continue to believe that until that time, significant progress had been achieved in disarming Iraq. The current state of negotiations between the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and Iraq offers a glimpse of hope which needs to be seized. Let us not squander this opportunity to achieve the core objectives contained in Security Council resolutions 686 (1991), 687 (1991) and 1284 (1999), while ensuring full respect for the sovereignty, territorial integrity and political independence of Iraq.

Iraq also needs to ensure compliance in good faith and cooperation with the International Committee of the Red Cross for finding a lasting resolution of the Kuwaiti claims, particularly with respect to Kuwaitis missing since 1991.

My country obviously aligns itself with the Arab perspective of cautioning against the war option at a time when the international community is mobilized to combat terrorism, following the tragedy of September 11 and against the backdrop of the destruction and bloodshed prevailing in the Palestinian territories. These are issues that are crying for urgent attention and lasting solutions. They deserve the concerted action of the international community. No amount of prevarication and neglect will therefore be a substitute for dealing with the core problem in the Middle East: the occupation of Arab lands by Israel.

President Bush's speech to the General Assembly on 12 September galvanized the international community because, as expected, it opened up the diplomatic option in the current crisis. That was a wise and very encouraging move, which accepted the primacy of international collective security. In his landmark speech on the same day, the Secretary-General made a number of important observations on the necessity and sagacity of working together to uphold international law and to maintain international order. Only by multilateral action, he said, can we defeat terrorism and tyranny, give people a chance to escape the ugly misery of poverty, ignorance and disease, and ensure the benefits and opportunities of open markets for all. Therefore, we could not agree with him more when he says that this universal Organization has a special place.

In conclusion, Sir, as the late United States President, John F. Kennedy, stated:

> "When written in Chinese, the word 'crisis' is composed of two characters. One represents danger, and the other represents opportunity".

In essence, we are here today to make a fateful choice between these two conflicting alternatives.

The President (*spoke in French*): I thank the representative of Djibouti for his kind words.

I should like to inform the Council that I have received a letter from the representative of Israel in which he requests to be invited to participate in the discussion on the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite the representative of Israel to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Lancry (Israel) took the seat reserved for him at the side of the Council Chamber.

The President (*spoke in French*): The next speaker on my list is the representative of Liechtenstein, whom I invite to take a seat at the Council table and to make his statement.

Mr. Wenaweser (Liechtenstein): Like many other speakers before us, we welcome this open debate on an issue that is of singular importance for global security as well as for the future of this Organization. It would hardly be appropriate to say that discussions on the topic before us have never been held before — quite the contrary, every aspect has been covered from every possible angle. But not in this format and not in this room, and this is what is needed, since any action of the Council on this issue requires the broadest possible consensus.

There can be no doubt that all Security Council resolutions, on Iraq or otherwise, must be implemented in full. Defiance and non-compliance with legally binding decisions undermine the effectiveness, as well as the credibility, of the Organization as a whole and must, therefore, not be accepted. It is thus imperative that the Council act with common resolve to enable the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) to resume the work that the United Nations Special Commission (UNSCOM) was never able to finish, and that Iraq extend unconditional cooperation and provide full and unrestricted access to all sites and facilities UNMOVIC chooses to visit. The destruction and removal of all weapons of mass destruction, as mandated by the Council 12 years ago, must finally be carried out. While a new resolution to this end is not strictly needed from a legalistic point of view, it is at this point certainly a political necessity. Given the implications of the present situation, clarity of the rules governing compliance by Iraq will be of the essence. Furthermore, these rules must be designed in a manner that ensures that the inspection process remains credible at all times.

If ensuring full compliance with its decisions is indispensable for the Council's credibility, the Council is, at the same time, also facing another challenge: as an Organization designed to promote peace and, in particular, to provide for the peaceful settlement of disputes, it must do everything possible, and be seen as doing everything possible, to ensure compliance with and implementation of its decisions without resorting to the use of force. Military action should, therefore, only be contemplated if all other means have failed and non-compliance by Iraq has been clearly established.

It is the Security Council that provides for the terms for the inspection regime, and the Council is therefore the arbiter of compliance and implementation, based on the findings of UNMOVIC. In accordance with the Charter, it is also the Council that must authorize the use of force.

There are clearly enormous consequences of the use of armed force in Iraq, which the Council has to weigh carefully before making such a decision. First, there is the risk of further instability in an already deeply troubled region, the existing instability being caused not least by the non-implementation of Security Council resolutions. But there is also the question of what involvement or action the Council foresees for the time after a possible armed intervention. Given these questions and the magnitude of what is at stake, it is of crucial importance that the Council acts with the broadest possible unity and the strongest possible support from the membership as a whole. This — and only this — can provide for the necessary political legitimacy.

The President (*spoke in French*): I thank the representative of Liechtenstein for his kind words.

The next speaker on my list is the representative of the Lao People's Democratic Republic, whom I invite to take a seat at the Council table and to make his statement.

Mr. Kittikhoun (Lao People's Democratic Republic) (*spoke in French*): Mr. President, first of all I wish to thank you personally, as well as the other Council members, to have granted my request to take the floor before this body, which is the main guarantor of peacekeeping and international security. I am aware of your great abilities as a diplomat, Sir, and therefore I am confident that the Council's work will be productive this month. Let me also thank our friend and colleague, the Ambassador of Bulgaria, who conducted the work of the Council brilliantly during the last month.

We are pleased to see that relations between Iraq and Kuwait, two independent and sovereign States, United Nations Members and members of the Non-Aligned Movement, have once again become normal. We encourage these two friendly countries to continue to do their utmost in order to resolve pending issues. This would contribute to establishing peace, security and stability in the region.

My country, the Lao People's Democratic Republic, has been following the question of Iraq very closely and with the greatest attention. During their meeting on 18 September, the Ministers for Foreign Affairs of the Non-Aligned Movement encouraged Iraq and the United Nations to intensify their efforts in the quest for a comprehensive, just and lasting solution to all the issues pending between them. The Ministers also insisted on the urgency of a peaceful solution to the question of Iraq in order to preserve the authority and the credibility of the Charter of the United Nations and of international law, as well as peace and stability in the region and throughout the world.

There is not the shadow of a doubt that the question of Iraq dominates the current international agenda. Why is that the case? What should we do — or rather, how should we resolve this question? Some advance a multitude of arguments on their side to defend tooth and nail the use of force to achieve their objective. Others provide an opposite viewpoint, preferring the peaceful settlement of disputes. In our humble opinion, and based on the Charter and international law, we should explore all peaceful means to resolve the outstanding problems and should do everything possible to avoid war, which can only cause more suffering for the Iraqi people. The people of Iraq are martyrs who have committed no crime; they have already suffered too much and deserve to suffer no longer. The world would render a great service to the Iraqi people by helping to find a peaceful solution to this question.

We are told that the question of Iraq concerns the elimination of weapons of mass destruction. Moreover, it is stated unequivocally that Iraq possesses chemical and biological weapons and will have the ability to manufacture nuclear weapons in the near future. In that regard, many countries maintain that it is up to the United Nations — the sole universal international organization — to conduct inspections on the ground and to verify the veracity of the statements made. We are pleased to note that Iraq, in order to prove its sincerity, has unconditionally accepted United Nations inspections. In that context, the Lao People's Democratic Republic calls for the immediate resumption of United Nations inspections in Iraq and expresses the hope that the question of Iraq will thus be resolved swiftly and peacefully.

In today's world, where dialogue and cooperation among States continues to prevail, it is important that the international community call firmly and vigorously for the settlement of disputes through the path of peace. In our view, any conflict, no matter how complex, can and must be resolved peacefully. In that spirit, we appeal to the international community to do all it can in order to resolve the question of Iraq swiftly and, above all, peacefully.

The President (*spoke in French*): I thank the representative of the Lao People's Democratic Republic for his kind words.

The next speaker inscribed on my list is the representative of Angola. I invite him to take a seat at the Council table and to make his statement.

Mr. Gaspar Martins (Angola): At the outset, I should like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month. I should also like to express my appreciation to the previous President for the able and wise manner in which he conducted the proceedings of this body during his mandate.

Secondly, I should like to acknowledge the foresight of the presidency of the Non-Aligned Movement for requesting that this meeting be convened, and the foresight of the Security Council — particularly that of the current presidency — for convening it, thus allowing for the participation of every Member State in a discussion of the most important and serious international crisis today. The consequences of not reaching a consensus on the issue before us could be far-reaching and could affect each and every Member State, as well as the Organization. The choice before us is between peace and war. And the options are whether or not the international community has a role to play in the resolution of this crisis in a world that is becoming increasingly multilateral.

Angola has always expressed its commitment to the United Nations, especially to the Security Council, whose mandate is to maintain international peace and security. My Government, in joining the United Nations shortly after its independence, affirmed the principles and values that constitute the essence of the Charter of this noble Organization.

My Government condemns any unilateral action by any Member State that threatens international peace and security, betrays the principles of the Organization and undermines its role. Consequently, in 1990, Angola unequivocally condemned the invasion of Kuwait by the military forces of Iraq. My Government is confident in the Security Council's ability to carry out its mandate. Therefore, it is imperative that the Government of Iraq redouble its efforts for the full and immediate implementation of Security Council resolutions 687 (1991) and 1284 (1999), as they constitute the only internationally recognized avenues towards achieving peace and justice through consensus. Furthermore, the implementation of those two key resolutions can be the cornerstone for a solution of the current crisis. We believe the record of the implementation of those two key resolutions has provided the international community, as well as the Iraqi Government, with the necessary understanding of mutual concerns, thus removing all perceived obstacles to their full and immediate implementation.

During the last few days, the Iraqi Government has expressed its readiness to respect and implement the resolutions of the Security Council, particularly with regard to the unconditional return of inspectors to Iraq. The United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency are the established mechanisms through which that commitment should be carried out. My Government welcomes the progress thus far achieved. However, we share the concern of other Member States in stressing that meaningful progress will only be registered once unconditional and unrestricted inspections actually take place.

I believe that the international community, through the United Nations, and in particular through the Security Council, should continue to work with the Iraqi Government in order to achieve meaningful progress in the resolution of the crisis. Security Council resolutions 687 (1991) and 1284 (1999), and all subsequent resolutions on the situation in Iraq, remain viable and relevant instruments. Our efforts should therefore be directed at ensuring their full implementation.

In conclusion, Angola believes that before taking any measures under Chapter VII of the Charter, the international community must seek a peaceful solution under the auspices of the United Nations, taking into account that the measures foreseen in Article 42 of the Charter must be taken only as a last resort, and then only if they represent the collective will of the international community as embodied by the Security Council.

The President (*spoke in French*): I thank the representative of Angola for his kind words addressed to me.

The next speaker inscribed on my list is the Permanent Observer of Palestine to the United Nations. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): At the outset, I have the pleasure to express to you, Mr. President, our happiness at seeing you preside over this meeting. Allow me also to thank the members of the Security Council for giving us this opportunity to participate in a debate of such great importance. In that regard, we would also like to express our gratitude to South Africa for its initiative in calling for the holding of this meeting in its capacity as the current Chair of the Non-Aligned Movement.

Like other Arab and Islamic countries and the overwhelming majority of the world's peoples and States, Palestine is deeply concerned and harbours

serious apprehensions about what we are witnessing with regard to the increasing possibilities of a new outbreak of war in the Middle East region. We are also worried about the growing possibility of the use of military force against Iraq — a sisterly Arab member country of the United Nations — as well as about the possibility of invading and occupying it. Were such things to occur, they would of course lead to further destruction in Iraq and to further suffering for its people. Moreover, such events would also have profound negative consequences on the region as a whole, encourage extremism and heighten hatred towards those who actually undertook such actions. It is very difficult to imagine stability in either Iraq or the region if such events take place. Using military force or going to war is definitely no solution. It must be avoided.

Despite the beating of war drums we have been hearing recently, there have been some positive developments. On the one hand, this question has been referred to the United Nations instead of taking unilateral action; and, on the other hand, Iraq has accepted the unconditional return of inspectors. We believe we should build on these two elements and that the current crisis should be resolved through a rapid return of inspectors to ensure that there are no weapons of mass destruction, thereby reassuring the international community with regard to this important issue.

The Security Council has adopted enough resolutions on this subject. The recent negotiations in Vienna and Iraq's subsequent position seem to point to the possibility of reaching acceptable arrangements between the United Nations and Iraq with a view to ensuring full compliance with the resolution calling for the destruction of all weapons of mass destruction and verifying that there are no such weapons in Iraq. Nevertheless, if the members of the Council find it necessary to adopt a new resolution, it will be important that such a resolution not contain impossible demands or mandate the use of force in advance. A new Council resolution should serve as a bridge leading to the implementation of its previous resolutions and not as a bridge to war.

Just prior to the last crisis, Arab States had indeed made great headway towards Arab reconciliation with regard to the situation between Iraq and Kuwait. The Beirut Summit was a very important step in that direction. We would like to reiterate our commitment to the spirit of the Summit and to its decisions and resolutions, including with regard to cooperating with the Tripartite Commission to resolve the issues of the return of Kuwaiti property and of Kuwaiti prisoners and third-party citizens being held in Iraq.

It is very difficult for the Arab street to believe that the use of force against Iraq would serve to uphold international law and legitimacy or to ensure respect for the resolutions of the Security Council. It is doubly difficult to believe when all Arabs — and indeed the entire world — have witnessed how Security Council resolutions are violated and rejected and how the provisions of international law are flouted by a single State. That State is, of course, Israel, which is considered by the Council to be the only occupying Power in the world today and which, incidentally, has illegally acquired several weapons of mass destruction. Just a few hours ago, Israeli tanks once again destroyed the homes of civilians in Rafah, killing at least five people and injuring forty. What we need here is for Members to try to regain, even partially, credibility for the Council and for this international Organization.

The President (*spoke in French*): I thank the observer of Palestine for the kind words addressed to me.

The next speaker on my list is the representative of Belarus. I invite him to take a seat at the Council table and to make his statement.

Mr. Ivanou (Belarus) (*spoke in Russian*): The Republic of Belarus has been closely following the developments relating to Iraq, as well as consideration of this issue within the United Nations. We welcome the format of today's meeting of the Council.

Noting that it is necessary for Iraq to implement the United Nations Security Council resolutions, the President and the Government of the Republic of Belarus welcome the decision made by the Iraqi leadership on the resumption of the work of United Nations inspectors in that country without any preliminary conditions. Through this decision, Iraq has demonstrated its aspiration for a constructive dialogue with the United Nations and the international community. Belarus calls upon the States members of the Security Council to support this constructive approach, opening up a political way out of the present complicated situation. We support the outcome of the consultations on this problem held in Vienna.

Belarus cannot agree with the position taken by those States that see the settlement of the Iraqi issue only through the use of force. We support political and diplomatic means for the settlement of this issue under the auspices of the United Nations and stand against any unilateral military actions without relevant United Nations Security Council mandate.

According to the United Nations Charter, the Security Council is the body bearing primary responsibility for the maintenance of international peace and security. In this connection, the Council should not allow a military action against Iraq, which could result in a major international conflict with unforeseen consequences.

Constructive dialogue between the Iraqi leadership and the United Nations Secretary-General and the international community as a whole and ensuring the unimpeded work of United Nations inspectors are, in our opinion, the key guidelines of agreed international efforts on the road towards a peaceful settlement of the Iraqi issue.

The Republic of Belarus welcomes the adoption by the Security Council of resolution 1409 (2002), which considerably simplified the implementation of the oil-for-food programme. We call for further step-by-step mitigation of the United Nations regime of sanctions against Iraq, which undermines the social and economic situation in that country and has led to serious humanitarian consequences for its population.

Belarus seeks political settlements to all disputes on the international agenda. We express hope for an objective consideration of the Iraqi issue and call upon the Security Council to take a balanced decision in the interest of peace and security, not only in the Middle East but on a global scale as well.

The President (*spoke in French*): The next speaker on my list is the representative of Saudi Arabia. I invite him to take a seat at the Council table and to make his statement.

Mr. Shobokshi (Saudi Arabia) (*spoke in Arabic*): At the outset, I would like to extend to you, Mr. President, my sincere congratulations for assuming the presidency of the Security Council for this month. We are fully confident that your capabilities and wisdom will guide the work of the Council to our desired objectives. I would like to extend my thanks and gratitude to your predecessor, my friend the Ambassador of Bulgaria, for directing the work of the Council last month. I would also like to extend thanks to my friend, the representative of South Africa, for requesting the convening of this meeting to hear the views of States and their positions vis-à-vis the issue.

Bringing peace, security and stability to the world requires a more active role for the United Nations, as well as an intensification of diplomatic efforts and political endeavours. Undoubtedly, such diplomatic means, as well as a full and in-depth analysis of the different aspects of the problem, its impact and results on the regional and international levels, are the best means of maintaining international peace and security, instead of resorting to the use of force.

The present phase of the situation in the Arabian Gulf region is very sensitive and fraught with a myriad of risks. The matter requires rationality and farsightedness in order to avoid the outbreak of another war that would have unforeseen and unpleasant results leading to instability in the region, and may have an adverse impact on the peace and stability of the entire world. Also, conducting such a war may lead to the rekindling of hatred, hostility, spite, vengeance and violence, as well as to humanitarian catastrophes that the world could very well do without.

Iraq's acceptance of the return of United Nations inspectors, as well as its assurances of facilitating United Nations inspectors mission and its pledge not to impede their work, should lead to accelerating the return of the inspectors to complete their task. The inspectors would be expected to submit a report stating that Iraq is free from weapons of mass destruction and that Iraq is implementing all relevant Security Council resolutions, including the release of Kuwaiti and third country prisoners of war and the return of Kuwaiti property. This would undoubtedly lead to the lifting of the economic sanctions that have been imposed on Iraq and that are hurting the brotherly Iraqi people. This would also help to preserve the unity, security and territorial integrity of Iraq.

In addition to the United Nations insistence that Iraq implement all resolutions of international legality, we cannot ignore the contempt that the Israeli Government has shown for such resolutions. The United Nations is not very satisfied with Israel's implementation of the many resolutions adopted by the Security Council and the General Assembly.

There is no doubt that the United Nations lack of resolve to ensure the implementation of these resolutions of international legality and the international community's disregard of Israel's refusal to implement them are among the main reasons for the ongoing tragedy and instability in the Middle East. The statement of one minister of the Israeli Government that all Security Council resolutions should be filed in the dustbin brings home for us the fact that Israel is not committed to honouring resolutions of international legality. According to Israel, such resolutions are not to be implemented and have no inherent procedure for implementation. Israel has flouted all resolutions adopted since 1948 and heeds only those warnings made by powerful and influential countries. This in itself is a challenge to international legality and disregard for the peace and security of the region.

Double standards and Israel's lack of commitment to the implementation of the resolutions of international legality diminish the Council's credibility. Indeed, they encourage other countries to flout and disrespect this legality. It cannot be claimed that resolutions not issued under Chapter VII are non-binding; if they are, of what value are they? Security Council resolutions, under whatever chapter they may be adopted, are binding on the international community, particularly since they address issues of international peace and security. They are especially binding on the permanent members of the Security Council, because those countries have participated in drafting and adopting them.

That commitment and the obligation to implement these resolutions have a bearing on the credibility of those States. It is assumed that the Security Council will take practical steps to ensure the implementation of its resolutions when the party concerned refuses to do so, as has occurred in many other parts of the world, including with respect to the Iraqi situation today.

The President (*spoke in French*): I thank the representative of Saudi Arabia for his kind words addressed to me.

The next speaker on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): We have followed with deep concern the current events in the Middle East, as well as the threat posed to the peace and security of the region and the world by the evil nature of Saddam Hussein's regime.

While the entire international community is united in the fight to eradicate international terrorism, Iraq, with its production of weapons of mass destruction, continues to be a menace to the international community. Today, we in the United Nations face a reality in which one party is pursuing the empty rhetoric of excuses and is in breach of several Security Council resolutions, while the international community has engaged in a long discussion regarding the form and legality of an action that is important and morally justified.

Albania is of the opinion that immediate action by the Security Council is of the utmost importance. We believe that the position of the United States, as stated on 12 September before the General Assembly —

> "We cannot stand by and do nothing while dangers gather. We must stand up for our security and for the permanent rights and hopes of mankind" (*A/57/PV.2, p. 9*) —

is the most realistic position. Albania restates its full support for the efforts of the Secretary-General and of the Security Council to find a fair solution to the Iraqi question.

No dictatorial regime that has demonstrated an aggressive nature in international relations, suppresses human rights and commits crimes against its own citizens has the moral right to represent the sovereignty of the people of its country, whose will and ideas are kept bound by the chains of a criminal authority.

Not long ago, Albania was under a dictatorial regime. The results of elections under that regime were 99.99 per cent in favour of Big Brother. In reality, it was a prison for the entire country and State sovereignty was represented by the will of a single dictator. Such dictatorial regimes generate continuous crises to prolong their own existence. In averting such crises in the future, the action of the international community to secure peace and stability in the region is as important as the establishment of freedom and the legal rights of the people who suffer under such totalitarian regimes.

Three years ago, we recognized the difficult position of the Security Council in deciding on the intervention of the international community against the

genocide committed by the criminal regime of Milosevic against the Kosovar Albanians. Many States were undecided with regard to intervention against a sovereign State. Moreover, the propaganda of the Milosevic regime presented the conflict as a clash of civilizations and a threat to Christianity from the Albanian Muslims of Kosovo. In the name of peace, security and the protection of human rights, the action of the international community proved to be right, vital and far-sighted in preventing a human tragedy.

That intervention was meant not to demonstrate prepotency, dominance or a unilateral stand, but to defend the right of the people to live in freedom. It was conceived not to protect Muslim Albanians against the Christian Orthodox Serbs, but to save both from a criminal regime that had kidnapped their rights. The intervention was intended to preserve and guarantee the future of the international system. The humanitarian intervention of the civilized world in Kosovo not only justified itself, but also introduced an important precedent in international relations.

Today, we are facing a situation in which the pre-emptive action of the international community is necessary in order to avert a possible world catastrophe precipitated by the use of weapons of mass destruction by an uncontrolled regime. The strength of our actions depends on the Security Council's decision and our common responsibility towards the people of the world.

The President (*spoke in French*): I thank the representative of Albania for his kind words addressed to me.

The next speaker on my list is the Permanent Observer of the Organization of the Islamic Conference to the United Nations. I invite him to take a seat at the Council table and to make his statement.

Mr. Lamani (*spoke in Arabic*): At the outset I would like to express our deep appreciation to the President of the Council for convening this open debate on the question of Iraq. I would like also to express our appreciation to the delegation of South Africa for its courageous and constructive initiative on behalf of the Non-Aligned Movement in requesting the convening of this important meeting.

In his statement before the annual coordination meeting of Foreign Ministers of members of the Organization of the Islamic Conference (OIC), held in New York on 17 September 2002, Mr. Abdelouahed Belkeziz, Secretary General of the OIC, stressed that the gravity of the situation in Iraq continues to preoccupy our organization despite the breakthrough in Arab-Iraqi relations earlier this year.

The continuation of the sanctions imposed on Iraq, with their severe social and humanitarian consequences, has inflicted much harm on a whole new generation in Iraq. The Secretary General expressed concern that this will have extremely negative repercussions for this Islamic country for many years to come. He expressed the hope that Iraq would be able to settle all its problems with its sisterly neighbours. Foremost among these problems is the issue of the missing Kuwaitis. It is also hoped that Iraq could settle its problems with the United Nations, particularly with regard to the return of the United Nations inspectors to resume and complete their mandated tasks.

Following that meeting, the OIC Foreign Ministers issued a statement welcoming the decision of Iraq concerning the return of the United Nations inspectors to Iraq, in response to the appeals made by the Secretary-General of the United Nations, by the Secretary General of the League of Arab States, and by Arab, Islamic and other States as a first step towards a comprehensive solution to relations between Iraq and the Security Council. Normalized relations would lead to implementation of all Security Council resolutions, to the lifting of sanctions imposed on Iraq, to respecting its security and sovereignty and to establishing the Middle East as a zone free from weapons of mass destruction.

The Ministers called upon all States to abide by the purposes and principles of the Charter of the United Nations, to refrain from the threat or use of force against Iraq, and to respect its sovereignty, independence and territorial integrity.

It has been repeatedly stated before this body that there should be no double standards when it debates the issue of non-compliance with its resolutions by any Member State. The history of the United Nations and its records testify to the fact that some of its Member States have defied its resolutions. Israel is a clear example. However, the United Nations, including the Security Council, has not resorted to the use of force against such countries. I would like to refer to an article published in the Inter Press Service on 11 October 2002, quoting Professor Stephen Zunes,

Associate Professor of Politics at the University of San Francisco and Middle East Editor for Foreign Policy in Focus. He wrote that there were an additional 91 Security Council resolutions about countries other than Iraq that were currently being violated, 31 of which dealt with Israel.

We strongly support the call for seeking a peaceful solution to the issue of Iraq in a way that preserves the authority and the credibility of the United Nations, as well as the unity, sovereignty, independence and territorial integrity of Iraq, in accordance with the principles of the Charter of the United Nations and of international law.

Undoubtedly, the recent decision by Iraq to allow the United Nations inspectors to return unconditionally and to facilitate their task, as well as the positive outcome of the meetings held in Vienna between Iraq and the United Nations, are steps in the right direction. They enable the Security Council to play its mandated role in the maintenance of international peace and security and spare the region the catastrophes of war and destruction and alleviate the suffering of the Iraqi people, which has lasted far too long and must be ended.

The President (*spoke in French*): I thank the Permanent Observer of the Organization of the Islamic Conference for his kind words addressed to me.

The next speaker on my list is the representative of Cambodia. I invite him to take a seat at the Council table and to make his statement.

Mr. Ouch (Cambodia): May I first of all once again congratulate you, Mr. President, for assuming the presidency of the Security Council for the month of October. I had the benefit of addressing the Security Council under your able leadership on behalf of the Association of Southeast Asian Nations (ASEAN) in the open meeting on progress achieved in the area of counter terrorism. At that meeting I reported on the vigorous efforts of ASEAN countries to jointly and individually combat terrorism. It is therefore with profound sadness that we witness the heinous and disastrous attacks by terrorists against two ASEAN member States, Indonesia and the Philippines. I wish to express my deepest condolences to the Government and people of Indonesia, the Government and people of Australia and other countries for the massive loss of life and deep suffering caused by the attack of international terrorism in Bali, and also to the Government and the people of the Philippines for the terrorist bombings today. We must once again underscore the importance of regional and international cooperation against international terrorism.

May I also express my gratitude to the Secretary-General for his inspiring message delivered yesterday by the Deputy Secretary-General, Madam Louise Frechette.

May I also express my gratitude to Ambassador Dumisani Kumalo of South Africa for requesting this emergency meeting on the situation between Iraq and Kuwait on behalf of the Non-Aligned Movement. We fully agree with him that the Security Council is being asked to consider a matter that has important repercussions for the entire United Nations. The maintenance of peace and security lies at the heart of the United Nations Charter, and the Security Council, being the main body dealing with collective security, should be accountable to the entire membership of the United Nations. As Mr. Kumalo stated yesterday, the Security Council has to uphold the aspirations of peace and security for the United Nations as a whole, and not just for the select few.

The holding of this open meeting of the Security Council will allow us, the 191 Members of the United Nations, to express our views regarding the grave and dangerous situation in which we find ourselves today. We should strive for a momentum of peace to prevail in this grave situation and must at all costs avoid war.

The situation in Iraq has been an issue that has been the subject of discussion in this body for more than 12 years now. Nine resolutions have been adopted that not only called for Iraq to allow inspection and the destruction of weapons of mass destruction, but also on the return of Kuwaiti prisoners of war and the return of Kuwaiti property. We should therefore not lose sight of the fact that adequate machinery already exists within the United Nations system to deal with this issue. We believe that peaceful efforts in the framework of United Nations mechanisms should be fully utilized and, if necessary, strengthened. We therefore agree with the majority of Member States that all avenues must be exhausted and that the use of force should only be utilized as a means of last resort. War will have disastrous consequences and create a humanitarian disaster of enormous proportions.

We therefore strongly urge Iraq to comply with all Security Council resolutions unconditionally and in

an unfettered manner. We are pleased to note that Iraq has responded to the calls of the United Nations Secretary-General and many Member States, with a positive attitude in its discussions in Vienna with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), and by sending letters to the Secretary-General declaring its acceptance of the return of United Nations weapons inspectors to Iraq unconditionally.

We trust now that the speedy return of the weapons inspectors is imperative as a means to alleviate international tensions in this grave and dangerous situation. Compliance by Iraq with all United Nations resolutions should allow the sanctions imposed on Iraq for the past twelve years, which have caused innumerable sufferings for its innocent civilian population, to be lifted as soon as possible.

The President *(spoke in French)*: The next speaker is the representative of Jamaica. I invite him to take a seat at the Council table and to make his statement.

Mr. Neil (Jamaica): Mr. President, I wish to thank you and the members of the Council for allowing Jamaica to participate in this open debate in response to the request of the Permanent Representative of South Africa, acting on behalf of the Non-Aligned Movement. This is a matter of great importance for the world community.

Under Article 24 of the United Nations Charter, the Security Council is entrusted with the primary responsibility for the maintenance of international peace and security on behalf of the membership of the Organization. It further requires that in discharging these responsibilities, the Council shall act in accordance with the purposes and principles of the United Nations.

As it is thus accountable to the wider membership, it is fitting and proper that the Council should hear the views of Member States on a matter of major importance involving the issue of war and peace. There is a great deal at stake, as the eyes of the world are on the Security Council and on the United Nations, and whatever is decided will have significant implications for the future of the Organization and for the maintenance of international peace and security.

At the heart of the matter is the question of compliance with the decisions of the Council by Member States and the enforcement options that the Council may choose to exercise.

The Security Council's resolutions 661 (1990), 687 (1991) and 715 (1991) among others, imposed certain obligations to be fulfilled by Iraq, which may only have been partially implemented. It should be clear that Iraq is obliged to comply with these resolutions, which require the destruction and cessation of further development of weapons of mass destruction and the fulfilment of certain obligations with respect to the return of Kuwaiti property and missing persons. These resolutions should be fully implemented.

Iraq should give unfettered access to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) inspectors in order to verify compliance with its disarmament obligations. Jamaica is hopeful that such arrangements can be made in view of the assurances given by Iraq and in the light of the agreement reached on during meetings with the Executive Chairman of UNMOVIC, Mr. Hans Blix, in Vienna from 30 September to 2 October 2002.

We believe that the matter can be resolved by peaceful means. The prospect of war should be avoided with all its manifold consequences, including death and destruction and the humanitarian tragedy that is the bitter legacy of war.

There is not much information available to us on the direction in which the Council is moving, but we would expect it to make reasonable arrangements for inspections to be carried out in Iraq as soon as possible.

We must also register our concern at aspects of the decision-making process in the Council, especially with respect to the role of the elected members and the pre-eminence of the members with the veto power. Our view is that the full involvement of the elected members of the Council at all levels of the decision-making process is vital for giving legitimacy and authority to the Council's decisions.

We ask the Security Council to act in a fair and objective manner, bearing in mind its responsibilities for the maintenance of peace and the avoidance of military confrontation. We are concerned that the integrity of the system of collective security under the Charter will be endangered by any unilateral action, which would weaken the fabric of international law.

We make these observations because of the value we place in the United Nations system and the scheme for collective security under the Charter. It is of great importance for all of us in the international community and particularly for small States. We should strengthen it and guard against the acceptance of any doctrine or policy which would circumvent the multilateral system and undermine the principles that sustain a world order of peace and security, the non-use of force, the peaceful settlement of disputes and the sovereign equality of States. Jamaica would urge that whatever action the Council should take, it should not compromise these principles.

The President *(spoke in French)*: I thank the representative of Jamaica for the kind words he addressed to me.

The next speaker is the representative of Zimbabwe. I invite him to take a seat at the Council table and to make his statement.

Mr. Jokonya (Zimbabwe): Mr. President, we are delighted to see you presiding over this very important and historic debate on a subject that has been described by some as the survival of the human race.

We would also like to take this opportunity to thank our brother and colleague Ambassador Kumalo of South Africa, who has assisted you in facilitating this debate.

The debate before us concerns a grave issue with serious implications for multilateralism in the conduct of our business in the United Nations. At risk is a Member of this Organization that is small by all standards and is being threatened with military action by powerful neighbours.

Iraq, whose case has been before the Security Council since 1991, risks having its case dealt with outside of this body — a body whose responsibility it is to provide international peace and security for all of humankind. The whole world therefore expects those to whom these positions of heavy responsibility have been entrusted to desist from pursuing selfish national interests. Instead, they should strive to preserve the authority and credibility of the Charter of the Organization.

The Council may recall that, when it was dealing with the question of the invasion of Kuwait by Iraq in 1991, Zimbabwe was presiding over this body. We strove then to put together an international coalition to deal with the matter. The result was a unified action by the international community to rectify untoward international behaviour on the part of Iraq. That result was a demonstration of what multilateralism can achieve. To this day there are no regrets as to those actions.

The Charter of the United Nations encourages the peaceful settlement of disputes. Any action taken by a Member State before the dispute-settlement channels offered by the United Nations have been exhausted represents a complete breach of international law. In particular, unilateral measures taken outside of the United Nations may register short-term gains but will be very harmful in the long term. Yesterday we had the opportunity to hear from some delegations about the possible consequences for the subregion if the issue of Iraq is handled outside the United Nations.

The Government of Iraq has agreed to receive United Nations inspectors and to give them full and unfettered access to all the areas they need to inspect. Members of the Organization need to be vigilant in guarding against tendencies to try to settle disputes outside of the provisions of the Charter. We have resolution 687 (1991) on the inspection of weapons of mass destruction in Iraq. Let us use that resolution and wait for a report from the inspectors. Iraq must comply with resolution 687 (1991) and other relevant resolutions.

My delegation finds it ironic that, at a time when the Iraqi authorities have agreed to the return of United Nations inspectors, there is talk of adopting a new resolution, with stiff requirements meant either to humiliate the Iraq authorities or to force Iraq to reject the conditions and so stop the inspectors from travelling to that country. This is the old gunboat diplomacy against weak adversaries, and here the goalposts are being shifted. We believe that this world body's responsibility is to disarm the Iraqi war machinery, particularly with respect to dangerous weapons of mass destruction — chemical, biological and nuclear. The question of regime change is a new phenomenon which makes clear that, instead of being true to their word, as usual, the mighty are bent on shifting the goalposts to suit their agendas.

No State, big or small, should threaten other States with the possible use of weapons of mass destruction. We call for resolute action by this body against such States. We are of the view that Iraq's level

of destructive capacity should also be of concern to its neighbours, which, in any case, feel the greatest threat. We have not heard cries from these neighbouring States about potential threats from Iraq, except, of course, from Israel.

Like other Members who have spoken before us, my delegation is concerned that, while we are — rightly — rushing to render useless Iraq's capacity to produce and to own weapons of mass destruction, we do not see the same zeal on the part of members of the Council to do away with the weapons of mass destruction that they themselves own. Other members of the Council have even decided not to sign disarmament treaties that seek to make the world free from these dangerous weapons.

We are also concerned that, whereas there is a rush to have Iraq abide by Security Council resolutions, the same rush is not displayed when it comes to Israel, which has flouted no less than 28 Security Council resolutions. The murdering and maiming of Palestinian people and the destruction of Palestinian homes does not, in our view, seem to concern the Council. Israel, after violating Security Council resolutions with impunity, has been shielded by the same members which today want to wage war on Iraq. It is common knowledge in the Security Council and to one and all that that country has weapons of mass destruction. It, too, must be disarmed. The Security Council should address this double standard in order not to bring the Charter of the United Nations into disrepute.

Let me conclude by reiterating that we need a solution which will quickly put an end to the sanctions, which have brought so much suffering to the people of Iraq. Let the inspectors proceed with their business, so that the suffering of the people of Iraq and the threat of weapons of mass destruction can be buried in the pages of history once and for all.

The question before us today is about doing the correct thing. It is about the credibility of multilateralism, adherence to international law and the peaceful settlement of disputes. My delegation urges the Council to opt for multilateralism and for the upholding of international law, which gives credibility to this body. The law of the jungle should not creep into this Organization.

The President (*spoke in French*): I thank the representative of Zimbabwe for the kind words he addressed to me.

The next speaker on my list is the representative of Qatar. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Bader (Qatar) (*spoke in Arabic*): Allow me, Mr. President, on behalf of my delegation, sincerely to thank you for giving us the opportunity to address the Council. We wish also to thank you for convening this important meeting, at which Member States can express their views on the very serious Iraqi situation, which has greatly deteriorated. The tension prevailing in the world because of the question of Iraq is indeed a matter of concern and a threat to international peace and security.

Qatar has always believed in the important role of the United Nations, the Security Council in particular, in maintaining international peace and security. That is why the State of Qatar has always expressed its full support for all resolutions of international legitimacy aimed at the achievement of peace and security in the world. Following the terrorist attack against the World Trade Center in New York, Qatar clearly and unequivocally expressed its condemnation of international terrorism in all its forms and manifestations, including State terrorism. We shall always work in conjunction with all States to combat terrorism in all its forms. My delegation would like to express its condemnation of the terrorist attack that took place in Bali on Saturday and to convey sympathy and condolences to the families of the victims and to the friendly people and Government of Indonesia.

A few months ago, many political complications emerged on the international scene, and they should be resolved through recourse to international law. International law should be fully respected. The political situation is changing on a daily basis, giving rise to new and contradictory tendencies.

We are grateful to the Non-Aligned Movement for requesting the convening of this meeting. There has been a rapid development in events that may lead to the outbreak of a war whose consequences would extend to all the States of the region and beyond.

We have welcomed the outcome of the Beirut Arab Summit held last March, as well as the decisions and resolutions adopted there, including the final

declaration concerning the situation between Iraq and Kuwait. It called, inter alia, for full cooperation to resolve the problem of Kuwaiti prisoners and detainees and third country nationals and the return of Kuwaiti property to Kuwait. We consider that to be a step in the right direction.

We are very optimistic about the decision of Iraq to accept the return of the international inspectors and to comply with Security Council resolutions, as well as about the resumption of the dialogue between Iraq and the United Nations. We also welcome Iraq's declaration that it has no weapons of mass destruction. We had hoped that those developments would lead to international détente and that the United Nations and the great Powers in the Security Council would immediately allow the return of the inspectors in order to assess the situation. That is what the situation calls for, and it would be fully in keeping with the principles of the Charter and of international law.

We all know what led to the fall of the League of Nations: the unilateral decision by the world Powers at that time to take decisions outside the context of international law and legitimacy. That led to a destructive war that claimed millions of lives. The United Nations was established in 1945 to prevent the repetition of such a war. Its Charter was drafted very carefully to make it incumbent on all States, and the founding States in particular, to respect the Charter and accept the rule of international law in international relations.

We would not like any State to act outside international law as enshrined in the Charter or refuse to respect international law. That is why we are calling for full respect for resolutions of international legitimacy. We consider the Security Council to be the only body mandated to decide what necessary steps should be taken in order to enforce compliance by any State with international law, without discrimination.

The current situation is extremely dangerous. It may lead to the destruction of an entire region and even have consequences for States outside the region, to say nothing of its negative impact on the current alliance to combat terrorism. We believe that such a conflict would lead to an increase in and spread of terrorism. Given the current situation, we must find a peaceful solution and refrain from the use of force. It is the duty of all the States Members of the Organization to work together to put an end to the crisis and to resolve it politically on the basis of United Nations resolutions and respect for international law.

We should give up selectivity and double standards when dealing with the issue of weapons of mass destruction and respect for international law. The Council must be transparent in its working methods; the United Nations does not deal with all States in the same way. Security Council resolutions relating to Israel must be applied with the same seriousness and insistence. Israel has an arsenal of weapons of mass destruction and refuses to accede to the Treaty on the Non-Proliferation of Nuclear Weapons. We call upon international law to be applied so that Israeli installations can be placed under comprehensive safeguards.

The President (*spoke in French*): I thank the representative of Qatar for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Sri Lanka. I invite him to take a seat at the Council table and to make his statement.

Mr. Mahendran (Sri Lanka): My delegation would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and to assure you of our full cooperation. I would also like to record our deep appreciation for the excellent work done by the representative of Bulgaria during his presidency of the Council last month.

We thank you, Sir, for having convened this open debate on the matter before us, at the request of the Chairman of the Non-Aligned Movement.

Sri Lanka has long urged Iraq to fully comply with all relevant Security Council resolutions and respect its international commitments so as to avoid a further escalation of tensions in the region. We believe that Iraq should comply with Security Council resolutions immediately and unconditionally and that the hand of the Council should be strengthened, since it is the Security Council that has the primary responsibility under the United Nations Charter to preserve the peace.

The Secretary-General, in his statement, conveyed the same message and warned the Council against division. It is therefore abundantly clear that the time has come for all Members of the United Nations to give the necessary support in the Security Council for the weapons inspectors to return to Iraq

with all the powers they need for a thorough regime of inspection. The Secretary-General said that Iraq's decision to readmit the inspectors without conditions is an important first step, but only a first step. Full compliance remains indispensable, and it has not yet happened. Iraq must implement the disarmament programmes required by the Council's resolutions.

Sri Lanka welcomes the decision of the Government of Iraq to allow the weapons inspectors entry into the country without any conditions. We hope that Iraq's decision will pave the way for the weapons inspectors to resume, without further delay, their work in that country towards the elimination of weapons of mass destruction.

In order to have access to whatever the inspectors may wish to look into, it may well be necessary — if the Security Council deems it so — to pass a new resolution, strengthening the inspectors' hands so that there are no weaknesses or ambiguities, and the new measures must be firm, effective, credible and reasonable.

Therefore, the Sri Lanka delegation recommends to the Council that we act in a way that removes the lacuna that was present in the 1991 inspection regime and strengthens the hand of the Council, as well as the Secretary-General, by engaging in a cooperative effort to establish guidelines in order for the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) to undertake the inspections comprehensively.

We appeal to Iraq to cooperate fully with the United Nations in order to make the Organization an effective instrument in maintaining peace, as stipulated very clearly and unambiguously by the Charter.

The President (*spoke in French*): I thank the representative of Sri Lanka for his kind words addressed to me.

The next speaker inscribed on my list is the representative of Nepal. I invite him to take a seat at the Council table and to make his statement.

Mr. Bhattarai (Nepal): Allow me first to congratulate you, Mr. President, and through you, your country, Cameroon, for the guidance you have been affording the Security Council in the cause of international peace and security. I vividly remember how profoundly the Economic and Social Council benefited from your leadership only last year in the cause of development, and I wish to express my delegation's support for your efforts in steering the deliberations here to a fruitful and just conclusion.

On 12 September 2002, the Secretary-General set the tone of this year's general debate when he said that the Middle East, Iraq and South Asia constitute the existing threats to international peace and security. He also explained why multilateralism offers the best possible solutions to such problems. Today, under your able presidency, Sir, the Council is debating the situation in Iraq, one of those great hotspots in the international security landscape. My delegation should like to hope and believe that the deliberations here would be taken on board while charting our collective course on the very sensitive and complex issue before the Council.

Nepal joined the United Nations out of her conviction that the Organization was the best and only way to go about averting the scourges of wars and devoting all available energy to the promotion of peace, development and human dignity. In the 47 years since then, Nepal has always worked hard and responsibly, be it on the Security Council, on which she has had the honour to serve twice, or elsewhere within the United Nations system, including in United Nations peacekeeping operations, or outside it, in the interest of peace and security around the world, as well as for the development and the welfare of humanity.

Nepal believes that membership in the United Nations comes with an undeniable responsibility to ensure that the Charter principles are always upheld in the pursuit of the purposes of the Organization. Respect for the sovereign equality of all members, the peaceful settlement of international disputes and avoiding the threat or use of force to violate the territorial integrity or political independence of any State constitute the inviolable principles of the conduct of international relations. Likewise, the fulfilment of obligations in good faith, providing assistance to the United Nations in its Charter actions, and non-intervention in issues essentially within domestic jurisdiction constitute other core principles that must be respected as well.

Nepal's firm belief in and commitment to the solemn purposes and principles enshrined in the Charter of the United Nations flow directly from, and are deeply engraved in, the constitution of our country. Accordingly, Nepal has always abided by both the

spirit and words of all those principles and purposes, and our passion to do so remains as strong as ever. Let me also add that Nepal's own experience as a victim of terrorist violence at home, deflecting the already scant resources that could otherwise be employed to propel development, has further reinforced our commitment to the twin purposes of peace and development. More than ever before, we are convinced that one will not be achieved without the other.

I made reference to the United Nations Charter principles and Nepal's convictions because we believe that the situation in Iraq, as well as that existing between Iraq and Kuwait, cannot be addressed without unflinching commitment on the part of all Member States to these very purposes and principles of the United Nations. We must derive our strength, moral and legal as well as otherwise, from the framework of the United Nations Charter and international laws that reflect our collective conscience. This is the view that Nepal has always maintained at the United Nations and within the Non-Aligned Movement (NAM), whose statement yesterday at the Council we support.

At the NAM ministerial meeting in Durban last April, we welcomed the assurances given by the Republic of Iraq to respect the independence, sovereignty and security of the State of Kuwait and to ensure its territorial integrity. We underscore the importance of implementing such policies to ease tensions and to promote understanding in the region, and call for action that would place those guarantees in an operational framework, manifest not only in good intentions but also in good-neighbourly relations and non-interference in one another's domestic affairs.

In the same vein, we also call on all sides to respect in spirit and in action the independence, sovereignty, security and territorial integrity of Iraq by not using external force, unless clearly authorized by the Council as a measure of last resort. Until other Charter measures have all been utilized, particular care should be taken before setting out to ignite a spark in an already volatile region — a spark which could well spread to the entire world. We also firmly believe that the sanctions on Iraq should be lifted so that the harsh suffering of its people, including women, children and the elderly, can be halted and stability and security in the region be promoted.

In the context of current developments having grave implications for the situation in Iraq, Nepal welcomes the most recent resumption of dialogue between Iraq and the United Nations and the events that have followed, which should ensure a complete implementation of relevant Security Council resolutions. In that connection, I wish to place on record our sincere appreciation to the Secretary-General for his untiring efforts to address the situation in Iraq while upholding the ideals of the United Nations in dealing with these issues.

In that context, while we firmly maintain that there is no room for action against Iraq — or against any other State for that matter — outside the United Nations Charter, we also call on Iraq to comply with the relevant Security Council resolutions and to assure the world through convincing action that there is no impending danger from their side to international peace and security.

Likewise, we are firm in our conviction that multilateralism is the only acceptable path to ensuring collective global security. Unilateral action, however pious its objective may be, undermines the integrity of international law and flouts the fundamental principles of the rule of law, causing uncertainties and the loss of hope, especially among the weak and vulnerable Members of the Organization. Full implementation of all relevant Security Council resolutions by all parties constitutes the only means for establishing durable peace, security and stability in the region and elsewhere.

Finally, as Nepal is duty-bound in its commitment to maintaining international peace and security and to making the world a safer place to live in for ourselves and for posterity, we call on the Council to harness this public meeting to find a peaceful and just way to ensure peace and security in the region and at the global level and to avoid the devastating scourges of war.

We should like to believe that a peaceful solution should be possible if we collectively resort to making the United Nations a genuine centre for harmonizing the actions of nations in the attainment of our common purposes, so clearly and categorically spelled out in Article 1 of the Charter of the Organization.

The President (*spoke in French*): I thank the representative of Nepal for his kind words.

There are a number of speakers remaining on my list. In view of the lateness of the hour, and with the concurrence of the members of the Council, I intend to suspend the meeting now.

The meeting was suspended at 1.15 p.m.